

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Teresa Love, et al.,

Plaintiffs

v.

Rachel Pond, et al.,

Defendants

Case No. 2:23-cv-02149-CDS-BNW

**Order Denying Plaintiffs'  
Motion for Sanctions**

[ECF No. 14]

On January 16, 2025, pro se plaintiffs Teresa Love and Vietta Hankins filed a motion for sanctions against defendants Rachel Pond, John Vance, Sheldon G. Turley, Jr., Joleen Smith, Gerard O'Hare, Anna DePasquale, Aaron Warren, and Jill Mortimer for allegedly false and misleading arguments raised in their response to plaintiffs' motion for default judgment. Sanctions mot., ECF No. 14. As relief, plaintiffs ask that the court grant their motion for default judgment (ECF No. 10), which I denied without prejudice on January 14, 2025. Order, ECF No. 13. The defendants oppose the motion. Opp'n, ECF No. 16.

Courts are directed to liberally construe pro se filings. *Hamilton v. United States*, 67 F.3d 761, 764 (9th Cir. 1995). Following that directive, and based on the relief sought by plaintiffs, I construe this motion for sanctions as one for reconsideration of my order denying their motion for default judgment.<sup>1</sup>

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<sup>1</sup> Even if plaintiffs did not intend this motion to be one for reconsideration, I would nonetheless deny it because it lacks any points and authorities explaining what rule or authority would permit me to issue sanctions against defendants. The Local Rules of this District provide that "[t]he failure of a moving party to file points and authorities in support of the motion constitutes a consent to the denial of the motion." LR 7-2(d); *see also Ilani v. Abraham*, 2019 U.S. Dist. LEXIS 228130, \*4 (D. Nev. Sept. 17, 2019) (denying contempt motion, in part, for failure to cite legal authority); *United States v. Johnson*, 180 F. Supp. 2d 1155, 1157 (D. Nev. 2002) (denying motion under LR 7-2(d), in part, for failure to cite authority supporting argument).

1 Motions for reconsideration offer “an extraordinary remedy, to be used sparingly in the  
2 interests of finality and conservation of judicial resources.” *Carroll v. Nakatani*, 342 F.3d 934, 945  
3 (9th Cir. 2003) (citation and internal quotation marks omitted). “Indeed, ‘a motion for  
4 reconsideration should not be granted, absent highly unusual circumstances, unless the district  
5 court is presented with newly discovered evidence, committed clear error, or if there is an  
6 intervening change in the controlling law.’” *Id.* (quoting *Kona Enters., Inc. v. Estate of Bishop*, 229  
7 F.3d 877, 883 (9th Cir. 2000)). A motion to reconsider must provide the court with valid  
8 grounds for reconsideration, which include showing some valid reason why the court should  
9 reconsider its prior decision and setting forth facts or law of a strongly convincing nature to  
10 persuade the court to reverse its prior decision. *See Frasura v. United States*, 256 F. Supp. 2d 1180,  
11 1183 (D. Nev. 2003) (citing *All Hawaii Tours, Corp. v. Polynesian Cultural Ctr.*, 116 F.R.D. 645, 648–49  
12 (D. Haw. 1987), *rev’d on other grounds*, 855 F.2d 860 (9th Cir. 1988)). Plaintiffs do not meet the  
13 standard for reconsideration. In sum, plaintiffs assert that they, in fact, properly served the  
14 defendants. *See* ECF No. 14 at 1–2. But as explained in my order denying their motion for default  
15 judgment, plaintiffs did not properly effectuate service. Accordingly, plaintiffs’ motion is denied.

#### 16 Conclusion

17 IT IS THEREFORE ORDERED that plaintiffs motion for sanctions [ECF No. 14] is  
18 DENIED.

19 IT IS FURTHER ORDERED that the court, as a courtesy, sua sponte extends the time  
20 for plaintiffs to file proof of service by seven days. Proof of service is now due by February 28,  
21 2025.

22 Dated: February 21, 2025

23   
24 Cristina D. Silva  
25 United States District Judge  
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